Vanessa R. Waldref United States Attorney Eastern District of Washington FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON Dan Fruchter Tyler H.L. Tornabene MAY 1 6 2022 Assistant United States Attorneys Post Office Box 1494 Spokane, WA 99210-1494 6 Telephone: (509) 353-2767 7 UNITED STATES DISTRICT COURT 8 FOR THE EASTERN DISTRICT OF WASHINGTON 9 UNITED STATES OF AMERICA, 2:22-cr-00035-RMP 10 Plaintiff, INFORMATION SUPERSEDING 11 **INDICTMENT** 12 V. 13 ROSHON EDWARD THOMAS Vio: 18 U.S.C. § 287 False, Fictitious, or Fraudulent 14 Defendant. Claims 15 16 17 The United States Attorney charges: 18 General Allegations 19 At all relevant times relevant to this Information Superseding Indictment: 20 The Economic Injury Disaster Loan ("EIDL") program is an SBA 21 program that provides low-interest funding to small businesses, renters, and homeowners affected by declared disasters. 22 23 2. On March 27, 2020, the President signed into law the Coronavirus Aid, 24 Relief, and Economic Security ("CARES") Act. That statute, along with the 25 Coronavirus Preparedness and Response Supplemental Appropriations Act, 26 authorized the SBA to provide EIDLs to eligible small businesses experiencing substantial financial disruption due to the COVID-19 pandemic.

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- 3. In order to obtain an EIDL, a qualifying business was required to submit an application to the SBA providing information about its operations, such as the number of employees, gross revenues for the 12-month period preceding the disaster, and cost of goods sold in the 12-month period preceding the disaster. In the case of EIDLs for COVID-19 relief, the 12-month period was the year preceding January 31, 2020. The application was also required to certify that the information in the application was true and correct to the best of the applicant's knowledge.
- 4. The amount of an EIDL, if the application was approved, was determined based, in part, on the information provided in the application about employment, revenue, and cost of goods sold. Any funds issued under an EIDL were determined and issued directly by the SBA. EIDL funds were eligible to be used to payroll expenses, sick leave, production costs, and business obligations such as debts, rent, and mortgage payments.
- 5. In addition to the EIDL loan amount, EIDL applicants could also apply to obtain cash advances of up to \$10,000 within three days of application. Advances, which were determined based on the number of employees that the applicant certified having, did not have to be repaid.
- 6. On or about July 6, 2020, Defendant ROSHON EDWARD THOMAS submitted EIDL application number 3308861858 to SBA in the name of his purported business, Thomas Tattoo Parlor. In the application, Defendant ROSHON EDWARD THOMAS listed the "primary business address" of the Tattoo Parlor as his residential address in Spokane, Washington. Defendant ROSHON EDWARD THOMAS stated that Thomas Tattoo Parlor had been established on June 15, 2018, and was a "Tanning and Tattoo" business consisting of 10 employees and with gross receipts of \$45,000 for the twelve months ending January 31, 2020. Defendant ROSHON EDWARD THOMAS certified under penalty of perjury and other criminal penalties that this information was true and accurate.

- 7. The representations made by Defendant ROSHON EDWARD THOMAS were materially false, and Defendant ROSHON EDWARD THOMAS knew they were false at the time they were made. In fact, Thomas Tattoo Parlor was not created on June 15, 2018, and was not a legitimate existing business at the time of Defendant ROSHON EDWARD THOMAS' EIDL application. Moreover, Thomas Tattoo Parlor did not have any employees, and did not even exist as of January 31, 2020, nor did it have any receipts in the 12 prior months. Accordingly, Thomas Tattoo Parlor and Defendant were not eligible for any EIDL funding.
- 8. Using the above materially false information, Defendant ROSHON EDWARD THOMAS requested an advance of up to \$10,000. On or about the following day, July 7, 2020, based on and in reliance on the materially false information submitted by Defendant, SBA provided Defendant ROSHON EDWARD THOMAS a \$10,000 advance electronically paid into a Bank of America account located in the Eastern District of Washington and owned and controlled by Defendant ROSHON EDWARD THOMAS. On or about that same day, July 7, 2020, again based on and relying on the materially false information submitted by Defendant ROSHON EDWARD THOMAS, SBA also approved additional EIDL funding of \$12,500, such that the total amount disbursed to Thomas Tattoo Parlor was \$22,500.

COUNT 1

- 9. The allegations set forth in paragraph 1 through 8 are realleged and incorporated herein.
- 10. On or about July 6, 2020 in the Eastern District of Washington, the Defendant, ROSHON EDWARD THOMAS, made and presented to the United States Small Business Administration, a claim upon the United States concerning EIDL application number 3308861858 in the name of Thomas Tattoo Parlor for an EIDL loan in the amount of \$12,500 and additional advance funding of \$10,000, knowing that the claim was false and fraudulent in that Thomas Tattoo Parlor was not an existing business eligible for EIDL funding, and knowing that the business Information Superseding Indictment 3

information submitted by Defendant ROSHON EDWARD THOMAS in support of EIDL application number 3308861858 was materially false and fraudulent; all in violation of 18 U.S.C. § 287. Dated this 6th day of May, 2022. Vanessa R. Waldref United States Attorney Assistant United States Attorney Tyler H.L. Tornabene Assistant United States Attorney

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